



## Ohio Administrative Code

### Rule 3745-279-52 General facility standards for used oil processors and re-refiners.

Effective: September 29, 2021

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(A) Preparedness and prevention. Owners and operators of used oil processing and re-refining facilities shall comply with all of the following:

(1) Maintenance and operation of facility. Facilities shall be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water which could threaten human health or the environment.

(2) Required equipment. All facilities shall be equipped with the following, unless none of the hazards posed by used oil handled at the facility could require a particular kind of equipment specified in paragraphs (A)(2)(a) to (A)(2)(d) of this rule:

(a) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel.

(b) A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or state or local emergency response teams.

(c) Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment.

(d) Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

(3) Testing and maintenance of equipment. All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, shall be tested and maintained as necessary to assure proper operation in time of emergency.



(4) Access to communications or alarm system.

(a) Whenever used oil is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation shall have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, unless such a device is not required in paragraph (A)(2) of this rule.

(b) If there is ever just one employee on the premises while the facility is operating, the employee shall have immediate access to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio, capable of summoning external emergency assistance, unless such a device is not required in paragraph (A)(2) of this rule.

(5) Required aisle space. The owner or operator shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.

(6) Arrangements with local authorities.

(a) The owner or operator shall attempt to make the following arrangements, as appropriate for the type of used oil handled at the facility and the potential need for the services of the following organizations:

(i) Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of used oil handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes.

(ii) Where more than one police and fire department might respond to an emergency, arrangements designating primary emergency authority to a specific police and a specific fire department, and arrangements with any others to provide support to the primary emergency authority.



(iii) Arrangements with state emergency response teams, emergency response contractors, and equipment suppliers.

(iv) Arrangements to familiarize local hospitals with the properties of used oil handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

(b) Where state or local authorities decline to enter into such arrangements, the owner or operator shall document the refusal in the operating record.

(B) Contingency plan and emergency procedures. Owners and operators of used oil processors and re-refiners facilities shall comply with all of the following requirements:

(1) Purpose and implementation of contingency plan.

(a) Each owner or operator shall have a contingency plan for the facility. The contingency plan shall be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water.

(b) The contingency plan shall be implemented immediately whenever there is a fire, explosion, or release of used oil which could threaten human health or the environment.

(2) Content of contingency plan.

(a) The contingency plan shall describe the actions facility personnel shall take to comply with paragraphs (B)(1) and (B)(6) of this rule in response to fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water at the facility.

(b) If the owner or operator has already prepared a spill prevention, control, and countermeasures (SPCC) plan in accordance with 40 CFR Part 112, or some other emergency or contingency plan, the owner or operator need only amend that plan to incorporate used oil management sufficient to comply with Chapter 3745-279 of the Administrative Code.



(c) The contingency plan shall describe arrangements with local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services, pursuant to paragraph (A)(6) of this rule.

(d) The contingency plan shall list names, addresses, and home or cellular telephone numbers of all persons qualified to act as emergency coordinator [see paragraph (B)(5) of this rule], and this list shall be kept up to date. Where more than one person is listed, one shall be named as primary emergency coordinator and others shall be listed in the order in which the others will assume responsibility as alternates.

(e) The contingency plan shall include a list of all emergency equipment at the facility [such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment], where this equipment is required. This list shall be kept up to date. In addition, the contingency plan shall include the location and a physical description of each item on the list, and a brief outline of the capabilities of each item.

(f) The contingency plan shall include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This evacuation plan shall describe signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of used oil or fires).

(3) Copies of contingency plan. A copy of the contingency plan and all revisions to the contingency plan shall be both:

(a) Maintained at the facility; and

(b) Submitted to all local police departments, fire departments, hospitals, and local emergency response teams that may be called upon to provide emergency services.

(4) Amendment of contingency plan. The contingency plan shall be reviewed, and immediately amended, if necessary, whenever:

(a) Applicable rules are revised; or



(b) The contingency plan fails in an emergency; or

(c) The facility changes- in design, construction, operation, maintenance, or other circumstances- in a way that materially increases the potential for fires, explosions, or releases of used oil, or changes the response necessary in an emergency; or

(d) The list of emergency coordinators changes; or

(e) The list of emergency equipment changes.

(5) Emergency coordinator. At all times, there shall be at least one employee either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This emergency coordinator shall be thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristic of used oil handled, the location of all records within the facility, and facility layout. In addition, this person shall have the authority to commit the resources needed to implement the contingency plan.

[Comment: The emergency coordinator's responsibilities are more fully spelled out in paragraph (B)(6) of this rule. Applicable responsibilities for the emergency coordinator vary, depending on factors such as type and variety of used oil handled by the facility, and type and complexity of the facility.]

(6) Emergency procedures.

(a) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or the designee when the emergency coordinator is on call) shall immediately:

(i) Activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and

(ii) Notify the Ohio EPA "Emergency Response Unit" at 800/282-9378, and appropriate local



agencies with designated response roles.

(b) Whenever there is a release, fire, or explosion, the emergency coordinator shall immediately identify the character, exact source, amount, and areal extent of any released materials. The emergency coordinator may do this by observation or review of facility records or manifests and, if necessary, by chemical analyses.

(c) In addition, the emergency coordinator shall assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment shall consider both direct and indirect effects of the release, fire, or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-offs from water or surface water run-offs from water or chemical agents used to control fire and heat-induced explosions).

(d) If the emergency coordinator determines that the facility has had a release, fire, or explosion which could threaten human health or the environment outside the facility:

(i) If the emergency coordinator's determination indicates that evacuation of local areas may be advisable, the emergency coordinator shall immediately notify appropriate local authorities, and shall be available to help appropriate officials decide whether local areas should be evacuated.

(ii) The emergency coordinator shall immediately report the incident to the Ohio EPA "Emergency Response Unit" at 800/282-9378, and either the "U.S. EPA Region 5 Response Center" at 312/353-2318 or the "National Response Center" at 800/424-8802. The report shall include all of the following:

(a) Name and telephone number of the emergency coordinator who is making the notification.

(b) Name and address of facility.

(c) Time and type of incident (e.g., release, fire).

(d) Name and quantity of materials involved, to the extent known.



- (e) The extent of injuries, if any.
- (f) The possible hazards to human health or the environment outside the facility.
- (e) During an emergency, the emergency coordinator shall take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other used oil or hazardous waste at the facility. These measures shall include, where applicable, stopping processes and operation, collecting and containing released used oil, and removing or isolating containers.
- (f) If the facility stops operation in response to a fire, explosion, or release, the emergency coordinator shall monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate.
- (g) Immediately after an emergency, the emergency coordinator shall provide for recycling, storing, or disposing of recovered used oil, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.
- (h) The emergency coordinator shall ensure that in the affected areas of the facility:
- (i) No waste or used oil that may be incompatible with the released material is recycled, treated, stored, or disposed of until cleanup procedures are completed.
- (ii) All emergency equipment listed in the contingency plan is cleaned and fit for the equipment's intended use before operations are resumed.
- (iii) The owner or operator shall notify the director and appropriate state and local authorities that the facility is in compliance with paragraphs (B)(6)(h)(i) and (B)(6)(h)(ii) of this rule before operations are resumed in the affected areas of the facility.
- (i) The owner or operator shall note in the operating record the time, date, and details of any incident that requires the contingency plan to be implemented. Within fifteen days after the incident, the owner or operator shall submit a written report on the incident to the director. The report shall include



all of the following:

- (i) Name, address, and telephone number of the owner or operator.
- (ii) Name, address, and telephone number of the facility.
- (iii) Date, time, and type of incident (e.g., fire, explosion).
- (iv) Name and quantity of materials involved.
- (v) The extent of injuries, if any.
- (vi) An assessment of actual or potential hazards to human health or the environment, where this is applicable.
- (vii) Estimated quantity and disposition of recovered material that resulted from the incident.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]